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REMARKS

The Examiner's Office Action of May 17, 2005 has been received and its contents reviewed. Applicants would like to thank the Examiner for the consideration given to the above-identified application.

By the above actions, claims 1, 4, 8, 12, 16, 20, 24, 28, 32, 33, 38, 39 and 44 have been amended. Accordingly, claims 1-44 are pending for consideration, of which claims 1, 9, 17, 25, 33 and 39 are independent. In view of these actions and the following remarks, reconsideration of this application is now requested.

Referring now to the detailed Office Action, claims 1-16 stand rejected under 35 U.S.C. §103 as being unpatentable over Jun (U.S. Patent No. 5,880,023 – hereafter Jun) in view of Nishi et al. (2003/0111666A1 – hereafter Nishi). Applicants presume that claims 1-44 stand rejected, as the Examiner appears to have made a typographical error in stating that claims 1-16 stand rejected.

With respect to the rejection of claim 1, the Examiner asserted that Jun teaches all the limitations of this claim except for the insulating film being organic. The Examiner relied upon Nishi for curing the deficiency of Jun, inasmuch as Nishi teaches an organic insulating film. In response, Applicants have added a step of “forming a third conductive film in contact with the second conductive film” to claim 1 in order to further distinguish the present invention from Jun and Nishi.

Applicants respectfully note that in the present invention the third conductive film 17 (Fig. 1D) is in contact with the second conductive film, and the third conductive film includes one kind or plural kinds of element selected from germanium, tin, gallium, zinc, lead, indium, or scandium, as supported on, e.g., page 11, lines 19-20. Applicants respectfully assert that Nishi and Jun fail to teach, disclose or suggest the amended feature.

With respect to the independent claim 9, the Examiner asserted that Jun teaches all the limitations of this claim except for “the insulating film being organic” and “forming a nitride film so as to be in contact with the organic insulating film and in the opening portion, patterning the nitride film so that a layer under the organic insulating film is exposed in the opening portion”, and the Examiner relied upon Nishi for curing these deficiencies. In response, Applicants respectfully assert that Nishi fails to disclose the limitation “forming a nitride film so as to be in contact with the organic insulation film and in the opening portion”

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and "patterning the nitride film so that a layer under the organic insulating film is exposed in the opening portion". Should the Examiner still maintain this rejection, Applicants would respectfully request the Examiner to cite specific text in Nishi disclosing the claimed features.

With respect to the independent claim 17, the Examiner asserted that Jun teaches all the limitations of this claim except for the insulating film being organic, and the Examiner relied upon Nishi for curing the deficiency of Jun, inasmuch as Nishi teaches an organic insulating film. In response, Applicants respectfully assert that Jun and Nishi fail to teach, disclose or suggest the limitation "forming a second conductive film including aluminum on the first conductive film and in the opening portion". Therefore, this rejection is improper.

With respect to the independent claim 25, the Examiner asserted that Jun teaches all the limitations of this claim except for "the insulating film being organic" and "forming a nitride film so as to be in contact with the organic insulating film and in the opening portion, patterning the nitride film so that a layer under the organic insulating film is exposed in the opening portion", and the Examiner relied upon Nishi for curing these deficiencies. In response, Applicants respectfully assert that Nishi fails to teach, disclose or suggest the limitation "forming a nitride film on the organic insulating film and in the opening portion", "patterning the nitride film so that a layer under the organic insulating film is exposed in the opening portion" and "forming a second conductive film including aluminum on the first conductive film and in the opening portion". Therefore, this rejection is improper.

With respect to the independent claim 33, the Examiner asserted that Jun teaches all the limitations of this claim except for the insulating film being organic, and the Examiner relied upon Nishi for curing the deficiency of Jun inasmuch as Nishi teaches an organic insulating film. In response, Applicants have added the limitation "performing a laser irradiation which performs pulsed oscillation under reduced pressure or in normal pressure for the second conductive film" in order to further distinguish the present invention from Jun and Nishi

Applicants respectfully note that the present invention includes laser irradiation for flattening a surface of the second conductive film. On the other hand, it appears that Nishi discloses a laser irradiation for activating the impurity element in semiconductor layers, as disclosed on page 18, paragraph 202 of Nishi. Moreover, it appears that Nishi fails to teach, disclose or suggest the step of "performing a laser irradiation which performs pulsed

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oscillation or continuous oscillation under reduced pressure or in normal pressure for the second conductive film". Therefore, this rejection is improper.

With respect to the independent claim 39, the Examiner asserted that Jun teaches all the limitations of this claim except for "the insulating film being organic" and "forming a nitride film so as to be in contact with the organic insulating film and in the opening portion, patterning the nitride film so that a layer under the organic insulating film is exposed in the opening portion", and the Examiner relied upon Nishi for curing these deficiencies. In response, Applicants have added the limitation "performing a laser irradiation which performs pulsed oscillation or continuous oscillation under reduced pressure or in normal pressure for the second conductive film" in order to further distinguish the present invention from Jun and Nishi.

As submitted above, Applicants respectfully note that the present invention includes laser irradiation for flattening a surface of the second conductive film. On the other hand, it appears that Nishi discloses a laser irradiation for activating the impurity element in semiconductor layers (page 18, paragraph 202). Moreover, it appears that Nishi fails to teach, disclose or suggest "performing a laser irradiation which performs pulsed oscillation or continuous oscillation under reduced pressure or in normal pressure for the second conductive film". Further, Applicants respectfully assert that Nishi fails to teach, disclose or suggest the limitation "forming a nitride film so as to be in contact with the organic insulating film and in the opening portion", "patterning the nitride film so that a layer under the organic insulating film is exposed in the opening portion". Therefore, this rejection should be withdrawn.

The requirements for establishing a *prima facie* case of obviousness, as detailed in MPEP § 2143 - 2143.03 (pages 2100-122 - 2100-136), are: first, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference(s) to combine the teachings; second, there must be a reasonable expectation of success; and, finally, the prior art reference (or references when combined) must teach or suggest all of the claim limitations. As Nishi and Jun are deficient, as discussed above, their combination in the §103(a) rejections is improper.

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Applicants have amended claims 4, 12, 20 and 28 to add limitation "for the second conductive film" in order to further clarify the steps of the present invention and to further distinguish the invention over Nishi.

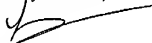
Additionally, Applicants have amended claims 8, 16, 24, 32, 38 and 44 in order to improve the clarity of the claim language.

In the interest of keeping prosecution history compact, and as the amendments and arguments set forth above are deemed sufficient to overcome at least all pending rejections of the pending independent claims, Applicants will not address each and every rejection of the dependent claims. Applicants reserve the right to do so in the future, as necessary.

In view of the amendments and arguments set forth above, Applicants respectfully request reconsideration and withdrawal of all the pending §103(a) rejections.

While the present application is now believed to be in condition for allowance, should the Examiner find some issue to remain unresolved, or should any new issues arise, which could be eliminated through discussions with Applicants' representative, then the Examiner is invited to contact the undersigned by telephone in order that the further prosecution of this application can thereby be expedited.

Respectfully submitted,



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